

REMARKS

This amendment is responsive to the Office Action mailed on October 19, 2007 setting a three month shortened statutory period for response that expired on January 22, 2008. A request and fee authorization for a one month extension of time accompanies this amendment so as to reset the period for response to expire on February 19, 2008. Claims 1 and 24 are amended. Claims 8-23 and 29-43 are canceled. Withdrawn claims 8-15, 22-23, and 29-43 have been canceled without prejudice to the filing of one or more suitable divisional applications to prosecute the withdrawn claims.

Claim Rejections - 35 USC 112

Claims 1-7 and 24-28 stand rejected as non-enabling except for the “user X (first user) sends the secret code to user Y (second user *via a mode* outside of the communication environment.” Claims 1 and 24 have been amended to be consistent with the specification. Support for the amendments is found in paragraph 41 and elsewhere in Applicants’ specification. This rejection should therefore now be withdrawn.

Claim Rejections - 35 USC 102(b)

Claim 21 stands rejected as anticipated by Harvey et al. (2002/0059379). Claims 16 through 21 have been canceled, rendering this rejection moot.

Claim Rejections - 35 USC 103

Claims 1-7, 16-20, and 24-28 stand rejected as unpatentable over Harvey et al. in view of Maehiro. Claims 1 and 24 have been amended to patentably distinguish over this combination of references. The examiner is respectfully requested to note that amended claims 1 and 24 now recite that the unique code is generated by the communications environment during a communication exchange within the environment. This code is then transmitted to the first user, who then, via a mode outside of the environment, communicates the unique code to a second user, who then submits the code to the environment for authentication. Only then is real time

and secure communication established between the two users. Support for the claim amendments may be found at least in paragraph [0041] of applicants' specification, and more generally from paragraph [0039] through [0041] and is clearly shown in Fig. 10.

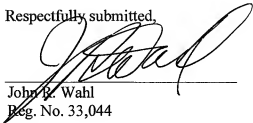
It is respectfully submitted that the method of initiating communications as now claimed in Applicants' independent claims 1 and 24 is clearly not shown in either Harvey et al. or Maehiro, or in the other references cited by the examiner but not applied. Accordingly, this rejection should now be withdrawn.

An Information Disclosure Statement was submitted on January 22, 2008, providing another reference, not cited by the examiner in this case, WO02/059770. Amended claims 1 and 24, and the claims depending therefrom, are believed to also patentably distinguish over this reference either taken alone or in combination with any of the other cited references.

Claims 1-7 and 24-28 remain pending in the application. This amendment is believed to be responsive to all points raised in the Office Action. However, should matters remain which the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone the Applicant's undersigned attorney at (303) 685-7460.

This response is filed within the three-month statutory shortened period for response and, therefore, no fees are believed to be due. However, the Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to **Deposit Account Number 50-2638**. Please ensure that Attorney Docket Number 054317-023301 is referred to when charging any payments or credits for this case.

Respectfully submitted,



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